

Dear Middle School Families,

We have prepared this handbook to provide you and your family with helpful information. It is our goal to provide a consistent middle school experience at both the Gibbs School and the Ottoson Middle School. We will work to provide every student with a successful educational program in a caring and safe environment. Our best wishes to you for an exciting, rewarding and enjoyable experience during these middle school years

Sincerely,

Fabienne Pierre-Maxwell  
Gibbs Principal

Wendy Salvatore  
Gibbs Assistant Principal

Brian Meringer  
Ottoson Principal

Julie MacEwan  
Ottoson Assistant Principal

Rochelle Rubino  
Assistant Principal

Some schedules, policies and procedures for the 2020-2021 have been amended in accordance with COVID-19 regulations. For the most up-to-date, please click on the following link:

[2020-2021 APS Fall Proposed Reopening Plan](#)

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**VISION STATEMENTS:**

**VISION OF A MIDDLE SCHOOL GRADUATE**

Arlington Middle School graduates are lifelong learners who value and achieve high academic standards. They are responsible, inquisitive, and self-reliant individuals. Graduates are skillful communicators who think critically about the world around them. Our students remain determined, respectful, and resilient in the face of challenges. Middle school students strive to be creative and collaborative decision-makers, who are culturally aware and mindful of themselves and others.

**GIBBS VISION STATEMENT:**

The Gibbs Sixth Grade School Community is an environment where students and adults work cooperatively to strive for academic achievement and social-emotional growth. Our community encourages being **Understanding** of each other and what makes us unique, being **Unified** in our efforts to support one another's abilities to grow and learn and being **Unstoppable** when reaching for our personal and community goals.

**OTTOSON VISION STATEMENT:**

The Ottoson School Community is an environment where students and adults strive to create a personalized learning environment that promotes academic excellence and empowers students to achieve their maximum potential. Through a model designed to target social-emotional needs, learners are welcomed into a school environment where student needs are centered around their academic growth focused on the motto Excel, Empower, and Engage.

**MISSION STATEMENT(S)**

**GIBBS MISSION STATEMENT:**

In order to inspire and empower students to excel academically while emphasizing their social and emotional growth we will value the following elements in our daily work:

- **Academic Rigor:** Students experience a challenging, standards-based curriculum while developing an academic mindset, perseverance, learning strategies, and academic behaviors.
- **Social-Emotional Learning:** Students demonstrate resilience and persistence while developing skills related to cooperation, assertiveness, responsibility, empathy, and self control.

- **Project Based Learning:** Students gain knowledge and practice skills, including executive functioning, during the completion of projects that are taught and coached through a release of responsibility.
- **Resourcefulness:** Students become self-directed and independent learners with a growth mindset by identifying and pursuing goals that are important to them.
- **Community:** Students feel supported and safe emotionally, intellectually, and physically. Staff and students collaborate to create a cohesive sense of significance, belonging and fun using the philosophies and common vocabulary of Responsive Classroom.
- **Creativity:** Students are encouraged to take creative risks in all areas and are provided with academic choice that allows them to explore their own interests.

#### **OTTOSON MISSION STATEMENT:**

- All learners are provided with a rigorous, interdisciplinary academic program.
- All learners are exposed to a variety of disciplines that complement and enrich academic curriculum.
- All students develop a sense of community within a supportive school culture.
- All teachers are skilled at educating young adolescents, including developing cultural proficiency in their practice.
- All adult members of the school community recognize the varied academic, social, and emotional developmental needs of young adolescents.
- All teachers and administrators work collaboratively across disciplines and grade levels.
- Social-emotional learning along with health and wellness are promoted as integral components of the learning experience.

### **BASIC INFORMATION**

#### **School Hours**

School hours are 8:30 a.m. to 2:56 p.m., Monday through Friday. Students may be required to stay after school for extra help or detention. Students are not allowed to enter the building before 7:55 a.m. unless they have an AM/PM card or a pass from a teacher for extra help. During extreme weather conditions students may be allowed to wait in designated spaces in the school.

#### **AM/PM Program**

The AM/PM program runs social, sport, and special-interest activities before and after school. The hours are generally 7:00 - 7:55 AM and 2:56 - 4:00 PM. Membership at the Gibbs is by trimester and there is an \$80 fee per trimester. Membership at the Ottoson is quarterly and there is a \$60 fee per quarter.

Some activities can be attended on a drop-in basis, while other activities have a limited number of slots and require a prior sign up. Some are offered daily, while others meet on a

regular weekly schedule. Participating students may attend more than one activity. The actual list of activities varies depending upon student interest and staffing, and is posted in the main office. Students may also suggest or initiate new activities if they can find willing adults to supervise. The sign-up forms are distributed in Advisory or ASPIRE and can be dropped in the designated box in the main office.

### Learning Communities

Each grade is divided into several learning communities. Students within each learning community share the same core teachers and attend most classes within a few adjacent rooms. Each learning community is like a small school within a large school.

Learning community placement is based on a number of factors, including balance of academic performance, peer relationships, special needs, and numbers of students.

### Counselors/Social Workers

The role of the counselor is to assist students, parents and/or guardians, teachers, and administrators in addressing school and family needs. Every student is assigned a guidance counselor. You or your parents/guardians may contact the counselor at any time.

Your counselor is the person to see for program changes, course selection, concerns about friends, family, faculty, or for general support and advice.

### School Nurse

The Nurse's office is located in the main floor (just inside the Tufts Street entrance) at the Gibbs and in the main office at the Ottoson. To see the Nurse, please ask your teacher and use a pass. If the Nurse is not in, please see the secretary.

### Elevator

The elevator is only for students whose physical condition requires the use of an elevator. Elevator keys are issued in the morning and must be returned at the end of the day. A student is allowed one classmate with them in the elevator to help with books.

### Visitors

When arriving, all visitors must use the main entrance and check in with the secretary. Students may not bring friends or relatives to class as guests unless permission is granted in advance by an administrator. All visitors are required to display a visitor's pass during school hours. *No students will be allowed to have family/friends from out of state/country visit school for more than one school day.*

### Lost and Found

The "lost and found" is located in the cafeteria at the Gibbs and in the main lobby at the Ottoson. P.E. locker rooms also have lost and found bins.

### Library/Media Center

The Library / Media Center hours are from 7:55 a.m. to 3:30 p.m. During those hours you may browse, do research, access references, and borrow materials. The media specialists will be glad to assist you in finding information. They can also help you with the use of computers.

When classes are in session, you need to obtain a corridor pass from your teacher before you can come to the Media Center. At the Ottoson, students may not cut through the Media Center at any time without permission.

Most items that you borrow are due back in two weeks, some items can only be taken out overnight. Although there are no fines for items returned late, you may lose your borrowing privileges, and you may have to pay for items lost or damaged. Please DO NOT bring any food or drink to the Media Center.

### Computer Use

Mobile computer labs and desktop computers are available in classrooms, labs, and the Library/Media Center for you to use according to the rules of the supervising teachers. The Arlington Public Schools Network has been established for educational purposes (classroom activities, career development, research, and word processing), not for e-mail, chat rooms, games, social networking or commercial purposes.

To use the internet on any computer, you and a parent/guardian must have signed an Acceptable Use Policy Agreement Form. The policy itself can be viewed online on the district web site or in the school library. If you violate the policy or misuse computers, you will be denied access to computers and the internet.

## HOME-SCHOOL COMMUNICATION

### IMPORTANT NUMBERS:

#### GIBBS

**Absentee Line:**

781-316-9017

**Main Number Line:**

781 316- 9000

#### OTTOSON

**Absentee Line:**

781-316-3744

**Main Number Line:**

781-316-3745

Good home/school communication is essential to a child's success in school. Teachers, school counselors, and principals can be reached via telephone and e-mail. You will find most contact information on the school website. Parents/guardians should also take advantage of the Fall Open House and teacher-parent conferences. The Principal also emails frequent newsletters and will send "Alert Now" messages to convey pertinent information.

Student Agenda Books also offer a convenient method of parent-teacher communication. At the bottom of each day's column is a special section in which parents/guardians and teachers can exchange notes. Parents/guardians should review the Agenda Book frequently.

## ATTENDANCE

### Illness

If you are sick, please stay home to recuperate and not risk infecting others. If you are not feeling well and you are not sure whether you should stay home, you may consult the Arlington Public School guidelines (on school website). If you do stay home, please have your parent/guardian call the absentee line to let us know before 8:15 a.m., and please note the parent/guardian must follow up with a written notice. If students attempt to dismiss themselves using their cell phones, disciplinary action may be necessary.

### Absence

In case of unanticipated absence, please have a parent/guardian call the absentee line or send to the absentee email and let us know before 8:15 a.m. If a student has not been called in absent, an automated call from "Alert Now" will be made. If a parent/guardian receives this call and the child is home from school, it is important that the parent/guardian call the office to verify their absence.

Upon the fifth non-excused absence in the school year, a meeting will be scheduled with the building Principal (or his/her designee), the Parent(s)/Guardian, and the student to develop an action plan to improve the student's attendance. In all circumstances Parents/Guardians are encouraged to contact school staff and work collaboratively with them to correct the reasons that the student is missing school. *[Atty. note: required by G.L. c 76 sec 1B]*

Excessive school absence may also result in the school taking legal action to address the situation.

### Tardy

If you arrive late, please go to the main office to sign in. You will receive a pass to class and should give the pass to your teacher. Frequent, unexcused tardiness will result in a logical consequence. More than five times a trimester at Gibbs and more than three times a quarter at Ottoson constitutes frequent tardiness. This could result in loss of student privileges. Medical appointments are excusable tardies. Please bring a note documenting these appointments.

Dismissal If your child has to leave before 2:26 p.m. he or she must bring a note from home and take it to the main office before the start of the school day. He or she will be asked to fill out a dismissal form to give to the classroom teacher at dismissal time. When you arrive to pick up your child, you will need to sign him or her out at the main office. Please let us know if someone other than you will be picking up your child. Please schedule appointments outside of school hours whenever possible.

### Taking Students Out of School

Vacations during the regular school session and early departures for or late returns from scheduled vacations are strongly discouraged. Class discussion and classroom interactions often provide the main focus for learning and cannot be replicated through out-of-class make-up assignments. **ABSENCES FROM SCHOOL FOR VACATION PURPOSES ARE NOT EXCUSED.** Schoolwork will be made available upon the student's return from vacation.

### Make-up Work

It is the responsibility of the student to make up any work that has been missed when a student is absent. If a student is absent for an extended period of time due to illness or injury, it is the responsibility of the parent/guardian to notify the guidance office as soon as possible. **Any request for homework for absent students requires a twenty-four (24) hour notice.**

### Bad Weather

An "Alert Now" message will be sent in the event of any school closings or delays. School closings or delays are also reported at [www.arlingtonma.gov](http://www.arlingtonma.gov) and on local media stations. For a recorded message call 781-316-3510.

## STUDENT EXPECTATIONS- ACADEMIC PERFORMANCE

### Grades

Grades are based on a variety of assessments such as quiz and test results, homework, projects, portfolios, and class participation. Grades **A, B, and C**, are passing grades, while grades **D, F, and I** require that you attend extra help. Grades have the following interpretation:

- A = Excellent** Superior work. Indicates excellent effort and accomplishments.
- B = Good** Better than average. Indicates good effort and consistently good work.
- C = Satisfactory** Average. Above minimum standards.
- D = Below average** Low passing. Improvement needed in effort.
- F = Failing** Failure to meet passing standard.
- I = Incomplete** Incomplete work. Requirements of the subject have not been met due to excused absence.

Students have 10 days after the close of the marking period to make-up work. The parent portal is used to keep parents updated about student grades. Teachers are requested to update the online grade book regularly.

### Report Cards

Gibbs grades are posted by trimester on the grade portal.

At Ottoson, quarter grades and final grades are available on the grade portal in November, January, April, and June. If you do not have access to a computer, please notify the

office at 781-316-3744. Grades are updated at various times by the teachers throughout the term.

### Progress Reports

If during the year a student's grades, effort, or participation is not satisfactory, a written warning may be issued from a teacher. This warning should be signed by a parent or guardian and returned to the teacher who issued it. Such a warning also means that you need to seek extra help and work hard to improve your grade.

### Extra Help

If you need extra help after school, please ask your teachers about the days and times when they are available to provide extra help.

### Agenda Book/Locks

Please record all your homework assignments and projects in the Agenda Book. It will help you keep track of these assignments and projects, and will let parents/guardians monitor your work. To replace an agenda book there will be a \$5.00 charge. If locks need to be replaced they are also \$5.00.

### Homework

Completing homework assignments is very important. Homework assignments are designed to help students be more engaged in their classwork and will help students to develop responsibility. **What matters is not the time you spend, but the quality of work you do. If you find yourself frequently spending a lot more than two hours, please talk to your teachers or your guidance counselor.** If you were absent or forgot the assignments, you may still be able to get them from the following sources:

\*call a friend in your team

\*check your teacher's web site if there is one. Parents/guardians, if your child reports not having any assigned homework they should perform one hour of reading.

### Homework make-up

Homework missed due to absence has to be made up when you come back. In extreme situations, your teachers may give you more time or may waive or modify some of the assignments. Please consider calling classmates for getting a lead on the missed assignments; also, many clusters have their own websites.

### Study Habits

Good study habits will make you a better student. Here are some suggestions:

- Record your assignments in this agenda book and be sure you understand your assignments before you leave class.
- Never be afraid or embarrassed to ask for clarifications. Teachers actually like to be asked when you don't understand something because they see that you are responsible.

- Think about the big picture of what the teacher is trying to teach, not just the details of the specific assignment.
- Read for meaning and take notes. This will help you learn more and perform better on tests.
- Prepare for your work far in advance so you can meet deadlines. Gather the necessary materials. Think of all that has to be done and make a plan.
- Be proactive and don't procrastinate. Don't leave long-term assignments until the day before they are due.
- Be sure you have an adequate work surface free of clutter and distractions.
- Establish a regular time for studying and be sure to get adequate sleep.
- Use a teacher's grading policy to prioritize your work.

## PROGRAMS AND STUDENT ACTIVITIES

The Ottoson Middle School and the Gibbs School offer a multitude of programs and activities for students. All of these programs and activities can be found on the schools' websites.

### Ottoson Student Advisory Council (OSAC)

The Ottoson Student Advisory Council (OSAC) addresses student concerns. The goal of this council is to create a forum where you are free to express your ideas and to explore ways to put these ideas into action. Some of the projects that you may initiate include student dances, social events, fundraisers, community outreach, and charity events. OSAC is open to all students in grades 7 - 8. If you are curious, friendly, imaginative, and energetic, OSAC may be just the place for you!! OSAC will meet on a weekly basis after school. This is an opportunity to help make Ottoson an even more student-friendly community.

## STUDENT EXPECTATIONS - CONDUCT

Everyone has the right to be treated with respect and dignity. We are all part of the same community. The surest way to gain respect is to be respectful of everyone around you.

### Responsibilities

We all share responsibilities for making our school a safe and enjoyable place of learning. Please do your part by working hard and by behaving well. Please remember that teachers and administrators have the responsibility of maintaining order in classrooms and safety in the building. Be responsible for your own actions and be helpful to others by reporting unsafe behaviors to an adult in the building.

### Phone Policy

Classroom phones are not to be used by students. A student's cell phone must be turned off and **in your locked locker**, unless a staff member has granted permission otherwise. Students must communicate with parents/guardians through school phones only. Students may not use

their cell phones to call home even if they are not feeling well. They must see the nurse. Students who do not follow these expectations will have their phones temporarily confiscated and it may be necessary for a parent to come and collect the phone. Students are not to text and/or call parents **or any other person** during the day.

### Technology and Valuables

BYOD Devices are allowed to be used for school work during the school day at Ottoson. At Gibbs, BYOD is not necessary because each student will have access to a chromebook while at school. Students are discouraged from bringing in valuables or large sums of money. The school does not accept responsibility for lost or stolen items.

### Dress Guide

School is a public forum where appropriate attire is expected. Students are expected to dress in good taste and take pride in their personal appearance. To strengthen the link between these responsibilities, and to ensure the wellbeing of the entire student body, basic guidelines of dress have been established and should be followed by all students. Excessively tight, short or revealing clothing is not allowed. These guidelines include safety, cleanliness, neatness and decency.

#### *Dress Expectations:*

- Safe and proper footwear.
- No clothing that is imprinted with vulgar or obscene language or artwork that relates to alcohol, drugs, weapons or smoking.
- No hats, bandanas, and other headgear. (Unless for religious reasons)
- Chests, stomachs, and buttocks must be fully covered at all times.
- Undergarments should not be visible at any time. Straps less than two fingers must be covered.
- No sunglasses.
- No slippers, face paint or costumes.

*Please Note: The school administrators have the final decision on the suitability of what you are wearing, and will base this decision on safety or potential disruption to the educational process. Students who fail to meet student dress requirements will be asked to put on clothes that meet the code and may face disciplinary consequences.*

### Corridors and Corridor Passes

The daily schedule allows for two to three minutes to pass from one class to the next, so please walk with a purpose while respecting other students, teachers, guests, and property. When classes are in session, any student outside of a classroom must follow the protocol for hallway passes.

### Bathrooms

When in class, please ask your teacher for a pass to go to the bathroom. Students must sign in and sign out of class. If you notice a lack of supplies or any other problems, please report it immediately to your teacher. When using the bathrooms, please behave appropriately and respect the facilities. Remember that the custodians are here to help keep our schools clean, not to clean up after us.

### Lockers

Backpacks, jackets, hats, and other items you carry to and from school should be kept in lockers during the school day. You may go to your locker only during designated school times. This will be different at each school. Please keep your locker locked at all times and do not share your combination with anyone else. Combination locks will be given to every student. If lost, students must purchase a replacement lock from the school for \$5.00. Student lockers are school property and not the personal property of the student. Know that your locker may be subject to search by authorized personnel at any time.

### Searches and Questioning

School administrators may search students and/or their personal property if there is a reasonable basis for believing that the search will reveal evidence of a violation of school rules or of the law.

School officials are authorized to question students about information that is relevant to the performance of their duties, including enforcement of school rules.

### Cafeteria

During lunch, the cafeteria should be an orderly place where students enjoy lunch and conversation. Horseplay, loud or inappropriate behavior, food throwing, and other disturbing behavior is prohibited. Students engaging in such behavior face disciplinary action, including suspension, and the possible loss of the privilege of eating in the cafeteria. Students are not allowed to take food, drinks, straws, or utensils out of the cafeteria. We encourage all students to recycle.

### Fire Drills/Evacuation/Alert, Lockdown, Inform, Counter, Evacuate (ALICE)

For everyone's safety, it is of the utmost importance that fire drills/evacuations/ALICE protocols be executed quickly and taken seriously. Follow teachers' instructions, stay in line, and proceed in an orderly manner without conversations. Students who are unable follow expected procedures are subject to possible disciplinary action. Fire drill and evacuation regulations are posted in every room.

### Behavior Outside of School

When you are outside of school, you are still a member of the middle school community. You are a representative of your school, so please act in a way that will make others think well of our schools. Be concerned about your safety and safety of fellow students to and from school. Please know you will be held accountable and may be subject to discipline for your behavior

outside of school or school related events if that behavior is serious in nature and causes substantial disruption in the school environment.

### Citizenship Code

As a citizen our middle school community, the expectation you should hold for yourself is to be an upstander. An upstander is one who stands up for what he or she knows is right. If you see something that does not feel right, **SAY SOMETHING** to a trusted adult.

During the first few days of school our core values will be explained thoroughly as part of your orientation. Every student has a right to feel like they belong, that they are significant and that they are safe at school. This is why we have core values to guide our decision making.

### Discipline

While this section provides examples of conduct that is prohibited, not every type of prohibited conduct can be listed. Students are expected to recognize that any conduct that is inconsistent with maintaining an appropriate environment either at school or at a school-sponsored event could lead to discipline, including exclusion from school. Even misconduct that does not take place in school or at a school sponsored event can result in discipline if it is of a serious nature and has a direct relationship to the school or causes substantial disruption to the school environment.

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#### **Possible Expulsion (Section 37H of Ch. 71)**

- Assaulting/threatening school personnel
- Possession of a firearm, knife or other weapon
- Possession/use of drugs

Students are also subject to long term suspension/expulsion by the Principal when charged/convicted of a felony based upon the standards and procedures set forth in M.G.L. c.71, §37H1/2.

#### **Possible Suspension**

- Assaulting/threatening another student
- Harassment/Bullying
- Possession/use of cigarettes/**e-cigarettes**, matches and/or lighters
- Vandalism
- Theft
- Possession/use of alcohol or fireworks
- Fighting
- Destruction/defacing of school property including textbooks and library books
- Refusing to obey an instruction from a teacher and/or administrator
- Disrupt operation of school assembly/classroom instruction

#### **Possible Detention**

- Class disruption
- Out of class without a pass
- Class cut
- Inappropriate behavior during a fire drill
- Gum Chewing

- Failure to report after school
- Improper use of Technology
- Cheating
- Plagiarism
- Disrupt operation of school assembly/classroom instruction

## REFERRAL TO THE POLICE

School officials generally report suspected criminal conduct that occurs at school or school related events to the police. Such conduct includes, but is not limited to, possession of weapons such as guns or knives, possession of a controlled substance, and significant incidents of bullying, assault, vandalism, and theft. Reporting suspected criminal conduct is separate from any disciplinary action that school officials may take based upon the same conduct.

## Harassment and Bullying

If you feel you are being harassed or bullied, steps to be taken may include:

- Ask the person to stop.
- Inform the harasser/bully or a friend how you feel
- Tell a trusted adult in the school. (Telling an adult should be your first step if you are uncomfortable talking to the person.)
- Keep a record of the actions of the harasser/bully (how, where, when, what, and any witnesses) and your responses and actions.

*Please Note: If the above has not stopped the harasser/bully, keep a copy of the recorded behaviors and take it to the main office. Arlington Public School System is committed to providing a safe education for all and we will do whatever it takes to stop any form of harassment/bullying. The Arlington Public Schools Harassment and Bullying policy is listed below.*

"Bullying" is the repeated use by one or more students or a staff member of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- \*causes physical or emotional harm to the target or damage to the target's property;
- \*places the target in reasonable fear of harm to him/herself, or of damage to his/her property.
- \*creates a hostile environment at school for the target;
- \*infringes on the rights of the target at school; or
- \*materially and substantially disrupts the education process or the orderly operation of a school.

"Harassment" includes communication such as, jokes, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which offends or shows disrespect to others based on race, color, religion, national origin, age, gender, sexual orientation or disability.

Bullying and Harassment shall be prohibited on school grounds, property immediately adjacent to school grounds, at a school sponsored or school-related activity, function or program

whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school.

Nothing contained herein shall require schools to staff any non-school related activities, functions or programs.

See Appendix A for additional information about reporting bullying.

### **Disciplinary Procedures**

The procedures that must be followed prior to suspending or expelling a student from school are outlined in Appendix B of this Handbook.

### **Discipline of Special Education Students**

The Individuals with Disabilities Education Act (20 U.S.C., §1400 et seq.) and related regulations (34 C.F.R. §300 et seq.) ("IDEA") provide eligible students ("students") with certain procedural rights and protections in the context of student discipline, as set forth below.

**Short term removals.** Students who violate school rules are subject to removal from their current placement for up to ten (10) consecutive school days to the extent that such a removal would be applied to students without disabilities, without a prior determination of whether the conduct is a manifestation of the student's disability. Students may be removed for additional periods of up to ten (10) consecutive school days in the same school year for separate incidents of misconduct without a manifestation determination, so long as the removal does not constitute a "change of placement" as described below. However, during such additional removals the district must provide the student with services to the extent necessary for progress in the general curriculum and the student's Individualized Education Program ("IEP") goals, as determined by the Principal in consultation with at least one teacher. In addition, if appropriate, the district must conduct a functional behavioral assessment and develop or revise an existing behavioral plan for the student.

**Change of Placement.** A suspension of longer than 10 consecutive days or a series of shorter term suspensions that constitute a pattern are considered to represent a "change in placement." Prior to a suspension that constitutes a change in placement, the student's Team, including the student's parents, must convene to determine whether the behavior is a manifestation of the student's disability. In making this determination, the Team must review all relevant information in the student's file, including the IEP, teacher observations, and any relevant information provided by the parents, to determine if the conduct was caused by, or

had a direct and substantial relationship to the student's disability, or was the direct result of any failure by the school to implement the IEP.

**Results of the Manifestation Determination.** If the Team determines that the behavior is not a manifestation of the disability, then the school may suspend or expel the student consistent with the policies applied to students without disabilities, except that the district must still provide an appropriate educational program to the student, as determined by the Team, which program may be in a different setting. If the Team determines that the behavior is a manifestation of a disability, the Team must conduct a functional behavioral assessment and develop a behavioral intervention plan or where a behavioral intervention plan was previously developed, must review the plan and, if necessary, modify it to address the behavior. Except in circumstances involving drugs, weapons, or serious bodily injury as described below, the student will be returned to the placement from which the student was removed unless the placement is changed by agreement or through the Team process.

**Exception for Drugs, Weapons and Serious Injury.** Regardless of the Team's decisions regarding the manifestation determination, school personnel may order a change in the placement of a student to an interim alternative educational setting, such setting to be determined by the Team, for not more than forty-five (45) school days if the student (1) carries a weapon to school or to a school function; (2) knowingly possesses, uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function; or has inflicted serious bodily injury upon another person at school, on school premises, or at a school function. Additionally, a Massachusetts Bureau of Special Education Hearing Officer, under certain circumstances, may order a change in the placement of a student with a disability to an interim alternative education setting for up to forty-five (45) days if the hearing officer determines that maintaining the current placement is substantially likely to result in injury to the child or others.

When a parent(s)/guardian(s) disagrees with the Team's decision on the "manifestation determination" or with a decision regarding placement, the parent(s)/guardian(s) has a right to request an expedited due process hearing from the Bureau of Special Education Appeals.

Additional information regarding the procedural protections for special education students eligible for services under laws providing for services for students with disabilities can be obtained from **insert name and phone number.**

### **Discipline of Students Whose Eligibility for Special Education is Suspected**

The IDEA protections summarized above also apply to a child who has not yet been found eligible for services under the statute if the district is "deemed to have knowledge" that the child was eligible for such services before the conduct that precipitated the disciplinary action occurred. The IDEA provides that a school district is "deemed to have knowledge" if: (1) the child's parent had expressed concern in writing to district supervisory or administrative personnel or the child's teacher that the child needs special education and related services; (2) the child's parent had requested an evaluation of the child to determine

eligibility for special education services; or (3) the teacher of the child or other school district personnel had expressed specific concerns about a pattern of behavior by the child directly to the district's director of special education or to other supervisory personnel. However, a school district is not "deemed to have knowledge" if the district evaluated the student and determined that the child was not eligible for special education services or the child's parent refused an evaluation of the child or IDEA services.

If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement

determined by school authorities, which may include suspension or expulsion without services. If the student is determined eligible for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.

### **Discipline of Students with Disabilities Under Section 504 of the Rehabilitation Act**

Section 504 of the Rehabilitation Act of 1973 ("Section 504") provides students with disabilities certain procedural rights and protections in the context of student discipline. Prior to imposing a "significant change in placement" for disciplinary reasons, the district must determine whether the conduct is a manifestation of the student's disability. A significant change of placement results not only from an exclusion for more than 10 consecutive school days, but also from a pattern of shorter suspensions accumulating to more than 10 school days during a school year. Whether a pattern exists must be decided on a case-by case basis, considering such factors as the length of each suspension, the nature of the alleged conduct, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school.

Prior to any significant change in placement for disciplinary reasons, a group of individuals knowledgeable of the student, the evaluation data, and the school program must determine whether the conduct at issue is related to the student's disability. If the conduct is directly related to the disability, the district will not impose the discipline and will develop an individual behavior management plan if the behavior significantly interferes with the student's ability to benefit from his education. If the conduct is not directly related to the student's disability, the district may discipline the student as it does general education students.

## **POLICIES ON HARASSMENT AND DISCRIMINATION**

### **Harassment Policy**

The Arlington Public Schools are committed to maintaining a school environment free of

harassment based on race, color, religion, national origin, gender identity age, gender, sexual orientation, or disability. Harassment by administrators, certified and support personnel, students, vendors and other individuals at school or at school sponsored events is unlawful and is strictly prohibited. The Arlington Public Schools requires all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students and all members of the school community.

### *Definition of Harassment*

Harassment includes communications such as jokes, comments, innuendos, notes, display of pictures or symbols, gestures, or other conduct which offends or shows disrespect to others based upon race, color, religion, national origin, age, gender, sexual orientation, or disability.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. What one person may consider acceptable behavior, may reasonably be viewed as harassment by another person. Therefore, individuals should consider how their words and actions might reasonably be viewed by other individuals. It is also important for individuals to make it clear to others when a particular behavior or communication is unwelcome, intimidating, hostile or offensive.

Sexual Harassment. While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

1. Acceptance of, or submission to, such conduct is made either explicitly or implicitly as a term or condition of employment or education.
2. The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student.
3. Such conduct interferes with an individual's job duties, education or participation in extra-curricular activities.
4. The conduct creates an intimidating, hostile or offensive work or school environment.

### *Harassment and Retaliation Prohibited*

Harassment in any form or for any reason is absolutely forbidden. This includes harassment by administrators, certified and support personnel, students, vendors and other individuals in school or at school related events. In addition, retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of the school or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be

tolerated by the Arlington Public Schools.

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion; or other sanctions as determined by the school administration and/or school committee, subject to applicable procedural requirements.

#### Investigation

Any individual who believes he/she has been harassed or who has witnessed or learned about the harassment of another person in the school environment should inform the Principal as soon as possible. If the individual does not wish to discuss the issue with him/her, or if s/he does not address the problem in an effective manner, the individual should inform the Assistant Superintendent of Schools who can be reached at 869 Massachusetts Ave, Arlington, MA 02476, 781-316-3523

The Arlington Public Schools will promptly investigate every complaint of harassment. If it determines that harassment has occurred, it will take appropriate action to end the harassment and to ensure that it is not repeated. Confidentiality will be maintained to the extent consistent with the school's obligations under law and under applicable collective bargaining agreements.

In certain cases, the harassment of a student may constitute child abuse under Massachusetts Law. The Arlington Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

#### *CLOSURE OF A COMPLAINT*

When an investigation has been completed, school personnel will inform the complainant of the results and file a report with the Coordinator for Title IX/Section 504 of the Rehabilitation Act/Chapter 622.

The Arlington Public Schools urges all individuals in the school community to bring any concerns or complaints of harassment to the attention of school personnel so that they can resolve the issue. The state agencies responsible for enforcing laws prohibiting harassment is the Massachusetts Commission Against Discrimination (MCAD), located at One Ashburton Place Boston, Massachusetts and the Massachusetts Department of Elementary and Secondary Education [add address]. The agency responsible for enforcing federal laws prohibiting harassment in the employment context is the Equal Employment Opportunity Commission, which his located a One Congress Street, Boston, MA and in the educational context is U.S. Department of Education, Office for Civil Rights, [add address]

## **NOTICE OF NONDISCRIMINATION**

The Arlington Public Schools does not discriminate on the basis of race, color, religion, national origin, age, gender, sexual orientation, disability or homelessness in admission to, access to, employment in, or treatment in its programs and activities.

The Coordinator for Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Chapter 622 of the Acts of 1971 for Arlington Public schools is Stanley Vieira, who can be reached at [svieira@arlington.k12.ma.us](mailto:svieira@arlington.k12.ma.us).

Inquiries regarding the application of the Arlington Public Schools' nondiscrimination policy may be referred to Title IX Coordinator as named above, or the Assistant Secretary for Civil Rights, U.S Department of Education, Washington, D.C. 20202 (or the Regional Director, U.S. Department of Education, Office for Civil Rights, [address])

## **NOTICE TO PARENTS/GUARDIANS PARENT NOTIFICATION LAW**

In accordance with the Parental Notification Law relative to sexuality education in schools (MGL 71 Section

32a), the Arlington School Committee has adopted the following policy:

"It is the policy of the Arlington Public Schools to notify parents and guardians if and when curriculum primarily involves human sexual education or human sexuality issues. Parents and guardians may exempt their children from any portion of said curriculum through written notice to the school principal. No child so exempted shall be penalized by reason of such exemption. To the extent practical, program instruction materials for said curricula shall be made reasonably accessible to parents, guardians, educators, school administrators, and others for inspection and review."

The Arlington Public Schools Curricula is aligned with the National Health Frameworks. At the Ottoson Middle School, health topics are taught in Health/Physical Education, Family and Consumer Science, and Science courses as well as school wide assemblies and field trips. Middle School health topics include Violence Prevention, Substance Use Prevention, Relationships and Communication Skills, Growth and Development, Reproduction/Sexuality, AIDS/HIV, Pregnancy, Birth Control, Mental Health, Prevention of Sexual Abuse, Physical Activity and Fitness, Disease Prevention/Control, Safety and Injury Prevention, Ecological Health, Community/Public Health, Personal Wellness, sexual orientation and current topics in the media. A Youth Risk Behavior Survey is administered every two years.

Parents who desire additional information or would like to view curricular materials may contact the building principal.

## **SMOKING/TOBACCO USE**

The possession and/or use of any vaping materials (regardless of the substance involved) and tobacco products within the school buildings, school facilities, on school grounds, on school buses by an individual, at school sponsored events, including school personnel and students, is prohibited at all times.

Smoking cessation classes are available to all students after school during the school year.

These excerpts are taken directly from the Town of Arlington Board of Health regulations. The public regulations on tobacco use will be enforced within the buildings and on the grounds of Arlington High School.

TOWN OF ARLINGTON BOARD OF HEALTH RULES AND REGULATIONS RESTRICTING SMOKING AND DISTRIBUTION OF TOBACCO AND TOBACCO PRODUCTS WITHIN THE TOWN OF ARLINGTON

SECTION 3.0 PROHIBITION ON SMOKING IN PUBLIC PLACES

No person shall smoke in any public place. Schools. It shall be unlawful for any person, including all teaching and non-teaching personnel to smoke in any public or private school, on school grounds or school buses at any time.

SECTION 5.0 PUBLIC PLACES/WORKPLACE ENFORCEMENT

(A) Any person who smokes in a non-smoking area shall be subject to a fine of \$100.00 for each violation.

All students caught in violation of this policy will be issued a \$100 fine. For a first offense the fee will be waived if the student completes the consultation and education provided within 21 days. For any subsequent violations in the school year a \$100 ticket will be issued. No report cards, schedules, diplomas or transcripts will be issued until any and all fines are paid in full.

## APPENDIX A

### Bullying and Retaliation are Prohibited

The Arlington Public Schools are committed to maintaining a school environment where students are free from bullying, including cyber-bullying, and the effects of such conduct. We further recognize that students may be more vulnerable to bullying based upon actual or perceived differences related to race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical developmental or sensory disability or by associations with other people who have one or more of these characteristics. We will provide support to students whose vulnerability is brought to the attention of a teacher, guidance counselor or administrator through observation or direct report from a student, staff member or parent/guardian. This support may be in the form of counseling, education to support both the student's ability to report bullying and his/her skills, knowledge and strategies to respond to bullying or harassment.

#### **A. Definitions**

**Bullying** is conduct that is repeated by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional and is directed at a student, causing one or more of the following:

- a. Physical or emotional harm to the targeted student or damage to his/her property;
- b. Placement of the targeted student in reasonable fear of harm to him/herself or of damage to his/her property;
- c. Hostile environment at school for the targeted student;
- d. Infringement on the rights of the targeted student at school; or
- e. Material and substantial disruption to the educational process or the orderly operation of the school.

Bullying generally involves "picking on" a student over time and may include conduct such as hitting and shoving; pressuring a student into taking an action he/she does not wish to take; words that involve threats, teasing, putdowns, or name-calling; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

**Cyberbullying** is bullying through use of cell phones, computers or other technology and may include conduct such as sending derogatory, harassing, or threatening email messages, instant messages, text messages, or bogs; creating websites or bogs that make fun of, humiliate, or intimidate others; and posting or sending embarrassing or inappropriate pictures or images of others. It may also include creating a website, bog, or posting by which the creator/author impersonates another person.

**Hostile Environment** is a circumstance in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of a student's education. The targeted student becomes so concerned about bullying that he/she is unable to participate in and concentrate on academic and other school activities.

**Retaliation** is any form of intimidation, reprisal, or harassment directed against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying. It involves a student or staff member "getting back at" a student because of a belief that the student reported bullying or provided information about it to an adult or others who may help the targeted student.

**B. Acts of Bullying (Including Cyberbullying) and Retaliation Are Prohibited.**

The Arlington Public Schools prohibit bullying (including cyberbullying) and retaliation as defined above both at school and under the following circumstances:

- on school grounds or any property next to school grounds;
- at the bus stop or on school buses or any other school vehicle;
- at any school-sponsored, or school-related activities, functions or programs;
- through use any school computers, internet connection or other school based technology;
- at a location or during activities that are not school related, or by using a private computer or cell phone, if the bullying creates a hostile environment at school for the targeted student, infringes on the rights of the targeted student at school, or otherwise disrupts the orderly operation of the school.

**C. How to Report Bullying**

Students who believe they are targets of bullying or retaliation, or who know about bullying conduct should report the conduct to: K-5 Building principals, 6-8 Grade level Administrator, 9-12 House Deans. Students may also report the conduct to a teacher, guidance counselor, or other school staff member, who will in turn report the incident to the Principal (or to a member of the Superintendent's staff if appropriate). Students may also contact a member of the Superintendent's staff directly at [add contact information]. Students are urged to report all conduct that is of actual concern to them. However, knowingly making a false accusation of bullying could result in discipline.

**D. Addressing Concerns Regarding Bullying**

The Principal or other appropriate administrator will be responsible for taking steps to investigate and otherwise address reports of bullying and retaliation. Where appropriate, the Principal/designee will take steps to restore a student's safety even before an investigation has been completed. Students who engage in bullying will be subject to discipline by the Principal or Assistant Principal, subject to any procedural requirements. In making disciplinary decisions, the Principal/Assistant Principal will consider both the need for accountability and the importance of teaching appropriate behavior. The range of disciplinary action for students that may be taken

includes, but is not limited to:

- verbal warning;
- written warning;
- reprimand;
- detention;
- short-term or long-term suspension; or
- expulsion from school

In addition to taking disciplinary action, the Principal/Designee will report conduct relating to bullying and retaliation to local law enforcement if s/he believes that criminal charges may be pursued.

Nothing in this handbook is intended to prevent school staff and/or school committee if applicable, from addressing and taking disciplinary action against a student for conduct that does not meet the definition of bullying/cyberbullying or retaliation, as defined above, but that is nevertheless inappropriate for the school environment.

#### **E. Closing a Complaint Regarding Bullying**

In the event school staff determines that bullying or retaliation (as defined in this policy) has taken place, the Principal or designee will, in addition to taking disciplinary action, notify the parent or guardian of the student aggressor. Staff will also inform the parent of the targeted student of the steps that will be support the student and to prevent further acts of bullying or retaliation, so long as consistent with applicable legal restrictions. For example, specific information about disciplinary action taken will generally not be released to the target's parent or guardian—unless it involve a "stay away or other directive that the target must be aware of in order to report violations.

#### **F. Further Review**

If either party is dissatisfied with the results of an investigation, he/she may direct his/her concerns in writing to the Superintendent or designee for further consideration.

In addition, regardless of the outcome, school officials will inform parents about the Department of Elementary and Secondary Education Program Resolution System (PRS) and how to access that system. Information can be found at: <https://www.doe.mass.edu/psm/>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information are also available at the Superintendent's office.

*The above language is intended to be consistent with the Arlington Public School's Policy Addressing Bullying and the Arlington Public School's Bullying Prevention and Intervention Plan. A copy of the complete plan is available at:*

<http://www.arlington.k12.ma.us/administration/bullyingprevention/pdfs/apsbullyingpreventionplan.pdf> A Bullying report form is attached at the end of this document and more are available in the main office or online at:

[http://www.arlington.k12.ma.us/eforms/parent\\_forms/Bullying\\_-\\_Initial\\_Suspected\\_Bullying\\_Report.pdf](http://www.arlington.k12.ma.us/eforms/parent_forms/Bullying_-_Initial_Suspected_Bullying_Report.pdf) The grade level administrator will be responsible for taking steps to investigate and address bullying and retaliation. They will take steps to ensure the safety of the target, and will notify parents of the aggressor and the target of confirmed cases of bullying and retaliation. The Arlington Public Schools Bullying Prevention Plan is located at: <https://www.arlington.k12.ma.us/>

[administration/bullying\\_prevention/pdfs/aps\\_bullying\\_prevention\\_plan.pdf](http://www.arlington.k12.ma.us/administration/bullying_prevention/pdfs/aps_bullying_prevention_plan.pdf) March 2014  
Arlington Public Schools

## APPENDIX B

### DUE PROCESS and OTHER PROVISIONS RELATING TO STUDENT SUSPENSION OR EXPULSION

#### STATUTORY OFFENSES: CONDUCT THAT MAY LEAD TO EXPULSION UNDER M.G.L. c. 71, §37H and 37H½

Under M.G.L. Ch. 71, §§37H, students are subject to expulsion (i.e., permanent exclusion) by the Principal for the following conduct:

- Possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse)
- Possession of a dangerous weapon\*
- Assault on teachers, administrative staff or other educational personnel

\*This includes not only knives and guns, explosive devices and realistic replicas of such weapons/devices, but also other objects used to assault another person or to otherwise create a dangerous situation, such as a baseball bat, a pair of scissors, matches or a lighter. While such objects would not always constitute "dangerous weapons", administrators and educational professionals will review the circumstances of each case and make a reasonable determination about whether a particular object in a student's possession constitutes a dangerous weapon in the school setting. Any illegal weapon will be turned over to the Police Department. Any student who brings a firearm to school must be expelled for a minimum of one school year, with exceptions granted only by the superintendent. (The definition of a firearm includes but is not limited to guns (including a starter gun), bombs, grenades, rockets, missiles, mines and similar devices.)

Students are also subject to long term suspension/expulsion by the Principal when charged/convicted of a felony based upon the standards and procedures set forth in M.G.L. c.71, §37H½.

Any student who is removed from school for a disciplinary offense under G.L. c. 71, §37H or §37H½ for more than ten consecutive days will have an opportunity to receive educational services and make academic progress during the period of removal under a school-wide education service plan, and will so informed at the time of the suspension/expulsion.

#### Procedures Applicable to Statutory Offenses

When considering the exclusion of a student from school for possession of a dangerous weapon, possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse), or assault on teachers, an administrator may place a student on short term suspension (ten days or less) based upon an informal hearing, to be followed by a formal hearing before the Principal within that period of suspension to

determine whether to take additional disciplinary action, up to and including expulsion from school.

1. The informal hearing will be in the form of a conference between the student and the principal or designee. At this conference, the student (1) shall be informed of the reason for the conference, (2) shall be given the opportunity to present his or her side of the story, and (3) shall be given a decision on the suspension. If the administrator deems delay of the hearing necessary to avoid danger or substantial disruption, this process may occur immediately after, rather than before, the suspension.
2. Prior to putting a suspension into effect, the principal or designee shall make a reasonable effort to telephone and inform the student's parent or guardian of the impending suspension; this shall include attempts to contact the parents or guardian at home and at work. Parents may contact the school for additional information regarding the suspension.
3. A letter will be mailed to the parent/guardian of the suspended student stating:
  - a) The reason for the suspension
  - b) A statement of the effective date and duration of the suspension
  - c) A statement regarding whether or not the Principal will schedule a formal hearing to consider further discipline, up to and including expulsion from school in accordance with M.G.L. c. 71, §37H (See below.)

When considering a suspension/expulsion of a student charged with/convicted of felony, the Principal will use the standards and procedures set forth in M.G.L. c.71, §37H $\frac{1}{2}$ . In addition, prior to initiating such procedures, the Principal may meet informally with the student and/or his parents to review the charge and the applicable standards if the Principal deems appropriate. (See below.)

**Controlled Substances, Dangerous Weapons and Assaults on Education Personnel (M.G.L. c. 71, § 37H)**

1. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
2. Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
3. Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said

hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

4. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the Superintendent of his appeal. The student has the right to counsel at a hearing before the Superintendent. The subject matter of the appeal is not limited solely to a factual determination of whether the student has violated any provisions of this section.

5. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

#### **Felony Complaints and Felony Convictions (M.G.L. c. 71, §37H $\frac{1}{2}$ )**

1. Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Superintendent. The student shall have the right to appeal the suspension to the Superintendent. The student shall notify the Superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The Superintendent shall hold a hearing with the student and the student's parent(s)/guardian(s) within three (3) calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

2. Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a

substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent. The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five (5) calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent(s)/guardian(s) within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal; or headmaster, including recommending and alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

3. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

#### CONDUCT OTHER THAN STATUTORY OFFENSES

**Conduct of concern in a school setting that is not covered by M.G.L. c. 71, §37H and 37H½ may result in** disciplinary action up to and including long term suspension (up to 90 days) from school. The administration will determine the consequences for serious infractions of the Code of Discipline and avoid using long-term suspension from school (i.e., more than ten days cumulative in a school year) as a consequence until alternatives have been tried as appropriate. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.)

If a principal decides to impose an out-of-school suspension on for a student in preschool or in grades K through 3, the principal will send to the superintendent a copy of the written determination and an explanation of the reasons therefore, before the out-of- school suspension takes effect.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

#### DUE PROCESS: PROCEDURES THAT APPLY TO DISCIPLINE FOR CONDUCT

## OTHER THAN STATUTORY OFFENSES

### **A. In-School Suspension for Less than 10 Cumulative Days During a School Year**

An in-school suspension is a removal of a student from regular classroom activities, but not from the school premises. The procedure for an in-school suspension of no more than (10) school days (consecutive or cumulatively for multiple infractions during the school year) will be as follows:

1. The administrator will inform the student of the disciplinary offense charged, the basis for the charge, and provide the student an opportunity to respond. If the administrator determines that the student committed the disciplinary offense, the administrator will inform the student of the length of the student's in-school suspension, which may not exceed 10 days, cumulatively or consecutively, in a school year.
2. On the same day as the in-school suspension decision, the administrator will make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The administrator will also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts will constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.
3. The administrator will send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the administrator to discuss the student's academic performance and behavior, strategies for student engagement and possible response to the behavior. Such meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

An in-school suspension of more than 10 cumulative days in a school year will be subject to the procedures for long-term suspension found under Section C below.

### **B. Procedures for Short-Term, Out-of-School Suspensions (10 Cumulative Days or Less in a School Year)**

Except in the case of an Emergency Removal as provided under Section D below, prior to imposing a short-term out-of-school suspension (**i.e., 10 days or less in a school year**), **an administrator will** provide the student and his/her parent oral and written notice and an opportunity to participate in an informal hearing.

1. Notice: The written notice to the student and the parent will be in English and in the primary language of the home if other than English, or other means of communication where appropriate and will include the following:

- a) The disciplinary offense;
- b) The basis for the charge;
- c) The potential consequences, including the potential length of the student's suspension;
- d) The opportunity for the student to have a hearing with the administrator concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- e) The date, time, and location of the hearing;
- f) The right of the student and the student's parent to interpreter services at the hearing if needed to participate;

Written notice to the parent may be made by hand delivery, first-class mail, certified mail, or email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and parent.

2. Efforts to Involve Parent: The administrator will make reasonable efforts to notify the parent of the opportunity to attend the hearing. To conduct a hearing without the parent present, the administrator must be able to document reasonable efforts to include the parent. The administrator is presumed to have made reasonable efforts if the administrator has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

3. Format of Hearing: The administrator will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating facts, that the administrator should consider in determining whether other remedies and consequences may be appropriate. The administrator will provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

4. Decision: The administrator will provide written notice to the student and parent of his/her determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The notice of determination may be in the form of an update to the original written notice of hearing.

### **C. Procedures for Long-Term Suspension**

Except in the case of an Emergency Removal provided under Section D below, prior to imposing a long-term suspension **(more than 10 days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year), an**

**administrator will follow the procedures for short-term suspension plus additional procedures as follows:**

1. **Notice:** The notice will include all of the components for a short-term suspension in Section B above, plus the following:

- a) In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not;
- b) The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
- c) The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
- d) The right to cross-examine witnesses presented by the school district;
- e) The right to request that the hearing be recorded by the administrator, and a copy of the audio recording provided to the student or parent upon request; and
- f) The right to appeal administrator's decision to impose long-term suspension to the superintendent.

2. **Format of Hearing:** The Hearing will afford the rights set forth in the notice above. The administrator will also provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

3. **Decision:** Based on the evidence, the administrator will determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to long-term suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The administrator will send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and the parent. If the administrator decides to suspend the student on a long-term basis, the written determination will:

1. Identify the disciplinary offense, the date on which the hearing was held, and the participants at the hearing;
2. Set out the key facts and conclusions reached;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school (if more than 10 consecutive days);
5. Inform the student of the right to appeal the administrator's decision to the superintendent or designee. Notice of the right of appeal will be in English and the primary language of the home if other than English, or

other means of communication where appropriate, and will include the following information stated in plain language:

- a) The process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
- b) The long-term suspension will remain in effect unless and until the superintendent decides to reverse the administrator's determination on appeal.

No long-term suspension will extend beyond the end of the school year in which such suspension is imposed.

#### **D. Exception for Emergency Removal**

Notwithstanding the provisions for short or long-term suspension set forth above, a student who is charged with a disciplinary offense may be removed temporarily from school if the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the administrator's judgment, there is no alternative available to alleviate the danger or disruption.

The administrator will immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger or disruption by the student.

The temporary removal will not exceed two (2) school days following the day of the emergency removal, during which time the administrator will provide the following, as applicable to the length of suspension:

- Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parent as provided in Section B or C above, as applicable;
- Provide the student an opportunity for a hearing with the administrator, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the administrator, student, and parent.
- Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

An administrator may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

### **E. Appeal to the Superintendent**

If a decision by an administrator, following the parent meeting, results in suspension of a student for more than 10 cumulative school days for the school year, the student may appeal the decision to the superintendent. In order to do so the student or parent must file a notice of appeal with the superintendent within five (5) calendar days with a seven (7) day postponement option. The superintendent must hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days. If the appeal is not filed within this time frame, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The following apply:

- The superintendent will make a good faith effort to include the parent in the hearing. The superintendent will be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent will send written notice to the parent of the date, time, and location of the hearing.
- The superintendent will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. The superintendent will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent upon request. The superintendent will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
- The student will have all the rights afforded the student at the administrator's hearing for long-term suspension as described in Section C above.
- The superintendent will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described in Section C above. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the administrator, but will not impose a suspension greater than that imposed by the administrator's decision.

The decision of the superintendent constitutes the final decision of the school district.

Revised and Approved by Arlington School Committee: June 8, 2017  
REPORTING FORM FOR ALLEGATIONS OF BULLYING OR RETALIATION RELATED TO  
BULLYING

1. Name of Person Filing the Report: \_\_\_\_\_

(Note: Reports may be made anonymously (unless reporter is staff member or administrator), but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous complaint)

2. Check whether you are the: Target of the behavior Reporter (not the target)

3. Check whether you are a: Student Staff member (specify role) \_\_\_\_\_+  
Parent Administrator Other (specify) \_\_\_\_\_

Your contact information/telephone number:

4. Information about the Alleged Incident

Name of Alleged Target (of behavior): \_\_\_\_\_

Name of the Alleged Aggressor (Person who allegedly engaged in the behavior):  
\_\_\_\_\_

Date(s) of Incident(s): \_\_\_\_\_

Time When Incident(s) Occurred: \_\_\_\_\_

Location of Incident(s): \_\_\_\_\_

Please list names of people who saw the incident or have information about it:

Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used, if possible). Please use additional space on back if necessary.

5. Signature of person filing this report \_\_\_\_\_ Date \_\_\_\_\_

(Note: Reports may be made anonymously unless reporter is staff member or administrator)

6. Signature of person receiving this report \_\_\_\_\_ Date \_\_\_\_\_

7. Initial Determination Regarding Potential Civil Rights Violation: If there is evidence indicating that the reported incident is related to a protected classification (i.e. race, color, religion, national origin, age, sex, gender identity, sexual orientation, disability), the person receiving this report must arrange for the allegations to be processed under the district's harassment policy rather than bullying policy

## Arlington Public Schools

### Restraint Prevention and Behavior Support Procedures

#### **I. Introduction:**

In accordance with Arlington Public Schools' Physical Restraint Policy and Massachusetts regulations for the prevention and safe use of physical restraint (603 CMR 46.00), Arlington Public Schools has developed the following Restraint Prevention and Behavior Support Procedures.

Arlington Public Schools is committed to maintaining an orderly, safe and supportive environment conducive to learning for all students. Arlington Public Schools implements a variety of de-escalation techniques and intervention strategies to safely support students and prevent the use of physical restraints whenever possible. Arlington Public School uses the physical restraint as an emergency procedure of last resort only when a student's behavior poses a threat of assault or imminent, serious physical harm to self or others and the district abides by safe physical restraint administration regulations. All physical intervention is guided by the principle of using a maximum amount of caring and a minimum amount of force.

#### **II. Prevention of Physical Restraint:**

Arlington Public Schools use a variety of de-escalation techniques and strategies as alternatives to physical restraint when a student's (or group of students') behavior requires immediate intervention. Additionally, the district implements a continuum of social-emotional and behavioral supports and services, including crisis planning, to foster social-emotional growth, self-regulation and prevent student violence, self-injurious behavior and suicide. These supports and interventions may include, but are not limited to:

- [Bullying Prevention and Intervention Plan](#)
- **Tier One SEL Programming**
  - [Responsive Classroom](#) (K-6)
  - [Ruler](#) (7-12)
  - Second Step (K-5)
  - [PBIS](#) (K-6)

- [PBIS Brief](#)
    - [Whole Child Lessons](#)
    - Zones of Regulation
    - Advisory 6th, 9th-12th
    - Calm/Cool Down Spaces
    - [SEL Resources for Educators Website](#)
- **Tier Two and Three SEL Supports**
  - Counseling and Social Work Services
  - Small Groups that teach social skills
  - Student Support Teams (SST) at All Schools
  - Use of Mental Health Screeners (District Wide)
  - Panorama Survey 2x (Family, Student and Staff)
    - Panorama Playbook for specific skills, needs, and targets
  - Individualized Educational Plans (IEP)
  - 504 Plans
- **SEL and Mental Health Assessments**
  - Views of Climate and Learning Survey (VOCAL)
  - Youth Behavior and Risk Survey (YBRS)
  - [Social and Emotional Learning Indicator System](#) Survey (SELIS)
  - Mental Health Screeners
  - SCUTA at the secondary level for student relationships and engagement
- Youth Mental Health First Aid
- Trauma Sensitive Training for Staff

Arlington Public Schools will engage parents/guardians about restraint prevention and the use of restraint solely as an emergency procedure by:

- making Arlington Public Schools restraint prevention and behavioral support policy and procedures, including complaint procedures available to families;
- discussing with families of students who have required and/or may require physical intervention methods of preventing student violence/self-harm, restraint prevention behavioral supports, alternatives to physical restraint, staff training and restraint use requirements, as well as behavioral support services available to student;

- collaborate with parents/guardians and student's community providers on use of effective de-escalation strategies and alternatives to restraint across settings; and,
- refer families to community-based resources and support, as needed.

### **III. Safe Use of Physical Restraint**

Arrington Public Schools use of physical restraint shall comply with 603 CMR 46.03. The definitions of forms of restraint shall be as defined in 603 CMR 46.02.

**Mechanical and medication restraint are prohibited.**

**Physical restraint, including prone restraints where permitted, shall be considered by Arlington Public Schools an emergency procedure of last resort and can only be used when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.** All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

**Physical restraint** is defined by regulation as direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

**Physical escort** is not considered a restraint. Physical escort is defined by regulation as a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

**Prone restraint** is defined by regulation as a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the facedown position.

**Prone restraints are prohibited in Arlington Public Schools, except on an individual student basis and only under the following circumstances:**

- The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
- All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
- There are no medical contraindications as documented by a licensed physician;
- There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
- The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal and supervisor of ABA services.
- The program has documented 603 CMR 46.03(1)(b)1-5 in advance of the use of prone restraint and maintains the documentation.

**Arlington Public Schools shall NOT use physical restraints:**

- As a means of discipline or punishment;
- When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
- As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or
- As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

**Limitations on use of restraint:**

- Physical restraint in the district shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

- Physical restraint must end as soon as the student is no longer an imminent threat to the physical harm of self or others.
- Only public education program personnel who have received training required for all staff, pursuant to 603 CMR 46.04(2) or the in-depth training required for select staff, pursuant to 603 CMR 46.04(3) shall administer physical restraint on students.
- Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.
- A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.04(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.
- All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

**Additional requirements for the use of physical restraint:**

- No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.
- Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

- **If a student is restrained for a period longer than 20 minutes, staff must contact the Principal and obtain the approval of the Principal prior to the restraint continuing beyond 20 minutes.** The Principal's approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.
- Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- After the release of a student from a restraint, the public education program shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

#### **IV. Physical Restraint Reporting and Review Requirements**

Arlington Public Schools shall report and review the use of physical restraints as follows:

**Informing the Principal or Designee.** The staff member who administered the restraint shall verbally inform the Principal or designee of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the Principal or designee for review of the use of the restraint. If the Principal has administered the restraint, the Principal shall prepare the report and submit it to an individual or team designated by the Superintendent for review. The Principal or designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or the Massachusetts Department of Elementary and Secondary Education upon request (DESE).

**Informing Parents/Guardians.** The Principal or designee shall make reasonable efforts to verbally inform the student's parent of the restraint within **24 hours** of the event, and shall notify the parent by written report that must include all the elements described below sent either within **three school working days** of the restraint to an email address provided by the

parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The Principal or designee shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

**Written Report.** The written report required by 603 *CMR* 46.06(2) and (3), maintained by school and provided to parent/guardian, must include:

- the name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and, the name of the Principal or designee who was verbally informed following the restraint; and, if applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 *CMR* 46.05(5)(c).
- A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
- A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
- Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.
- Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

**Report all restraint-related injuries to DESE.** When a physical restraint has resulted in an injury to a student or program staff member, the program shall report it to DESE as required by 603 *CMR* 46.06(4) no later than **three**

**school working days** after the restraint. The program shall also send DESE a copy of the record of physical restraints maintained by the Principal or designee pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint.

**Report all physical restraints to DESE.** Every program shall collect and report data to DESE regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the DESE.

**Individual student review.** The Principal or designee shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the principal shall convene one or more review teams as the Principal or designee deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

- review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;
- an analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;
- agreement on a written plan of action by the program.
- If the Principal or designee directly participated in the restraint, a duly qualified individual designated by the Superintendent or designee shall lead the review team's discussion. The Principal shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

**Administrative review.** The Principal or designee shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The Principal or designee shall determine whether it is necessary or appropriate to

modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

**Complaints.** A parent/guardian, student and/or Arlington Public Schools staff member may file a complaint about restraint practices with the Principal/Superintendent or designee. A building or district administrator will be assigned to investigate the complaint by reviewing records and/or interviewing relevant parties. The building/district administrator investigating the complaint will notify the complainant of the findings and if applicable, any corrective action steps.

**Referral to law enforcement or other state agencies.** Nothing prohibits:

- The right of any individual to report to appropriate authorities a crime committed by a student or other individual;
- Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or
- The exercise of an individual's responsibilities as a mandated reporter pursuant to *G.L. c. 119, § 51A. 603 CMR 46.00* shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

## V. Use of Time-Out

**Seclusion Prohibited.** Arlington Public Schools prohibits seclusion. Seclusion (sometimes referred to as "seclusion restraint") is defined by regulation as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in *603 CMR 46.02*.

**Time-Out.** Arlington Public Schools uses time-out as a behavioral support strategy. Time-out is defined by regulation as when a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used

for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out includes inclusionary time-out and exclusionary time-out.

**Inclusionary Time-Out.** When the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom. The use of inclusionary time-out functions well as a behavior support strategy while allowing the student to remain fully aware of the learning activities of the classroom. Inclusionary time-out includes practices used by teachers as part of their classroom behavior support tools, such as "planned ignoring," asking students to put their heads down, or placing a student in a different location within the classroom. These strategies, used to reduce external stimuli in the student's environment while keeping the student physically present and involved in learning, have proven to be useful tools for classroom management.

**Exclusionary Time-Out:** The separation of a student from the rest of the class either through complete visual separation (e.g. walled off rooms located within the classroom) or from actual physical separation from the classroom.

**The following applies to exclusionary time-outs:**

- Should not be used as a method of punishment for noncompliance, or for incidents of misbehavior that are no longer occurring.
- Should be reserved for use only when students are displaying behaviors which present, or potentially present, an unsafe or overly disruptive situation in the classroom.
- Must end when the student has calmed.
- Unless it poses a safety risk, a staff member must be physically present with the student. If it is not safe for the staff member to be present with the student, the student may be left in the time-out setting with the door closed. However, in order to ensure that the student is receiving appropriate support, staff member(s) must be immediately available outside where the individual can continuously observe and communicate with the student as appropriate to determine when the student has calmed. Students must never be locked in a room.
- For students displaying self-injurious behavior, a staff member must be physically present in the same setting with the student.
- If it appears that the use of exclusionary time-out exacerbates the student's behavior, or the continuation of the exclusionary time-out beyond 30 minutes has not helped the student to calm, then other behavioral support strategies should be attempted.

**For any exclusionary time-out that may last longer than 30 minutes, a staff member must contact and seek approval from the Principal for the continued use of time-out beyond 30 minutes.** The Principal may not routinely approve such requests but must consider the individual circumstances, specifically whether the student continues to be agitated to determine whether time-out beyond 30 minutes is justified.

## **VI. Required Physical Restraint and Behavioral Support Staff Training**

**Required training for all staff.** Each Principal or designee shall determine a time and method to provide all program staff with training regarding the Arlington Public Schools restraint prevention and behavior support policies and procedures as well as requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment.

**Training must include information on the following:**

- The role of the student, family, and staff in preventing restraint;
- The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
- Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
- When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
- Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
- Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

**In-depth staff training in the use of physical restraint.** At the beginning of each school year, the principal of each public education program or his or her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth training in the use of

physical restraint. DESE recommends that such training be competency-based and be at least sixteen (16) hours in length with at least one refresher training occurring annually thereafter.

**In-depth training must include:**

- Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
- A description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
- Demonstration by participants of proficiency in administering physical restraint; and,
- Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

## **Arlington's Code of Conduct**

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication to be made available to students and parents.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

The Superintendent shall provide each Principal with a copy of the regulations promulgated by DESE and shall have each Principal sign a document acknowledging receipt thereof, which shall be placed in their personnel file.

### **Suspension**

In every case of student misconduct for which suspension may be imposed (except for offenses referenced in the note at the end of this policy), a Principal shall consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

### **Notice of Suspension:**

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent oral and written notice, and provide the student an opportunity for a hearing and the parent an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and

written notice to student and parent in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent present, the Principal must be able to document reasonable efforts to include the parent.

### **Emergency Removal**

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption. The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice as referenced in the applicable regulation; Provide written notice to the student and parent as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

A Principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

**In School Suspension** - not more than 10 days consecutively or cumulatively  
The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

The Principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the Principal follows the process set forth in regulation and the student has the opportunity to make academic progress as required by law and regulation.

**Principal's Hearing - Short Term Suspension of up to 10 days**

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the

Superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.  
Principal's Hearing - Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent by hand-delivery, certified mail,

first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the Principal and the parent.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information: The process for appealing the decision, including that the student or parent must file a written notice of appeal with the

Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension before the suspension takes effect.

### **Superintendent's Hearing**

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.

The student or parent shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing - Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension.

The Superintendent shall make a good faith effort to include the parent in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The

Superintendent shall send written notice to the parent of the date, time, and location of the hearing.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

## **Expulsion**

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.  
Academic Progress

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The Principal shall inform the student and parent of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The Principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services.

Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The Principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

### **Reporting**

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

LEGAL REF: M.G.L. [71:37H](#); [71:37H  \$\frac{1}{2}\$](#) ; [71:37H  \$\frac{3}{4}\$](#) ; [76:17](#); 603 CMR [53.00](#)

NOTE: The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. [71, S. 37H](#) or [37H  \$\frac{1}{2}\$](#) . The Principal, pursuant to the previously referenced statute may remove a

student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year. Except that the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and expelled for more than 10 cumulative days in a school year and to make recommendations thereon.